

SUMMONS ON COMPLAINT

Court address: Second Judicial District Court No.: D-202-CV-2018-02234  
Bernalillo County Courthouse Judge: Beatrice Brickhouse  
P.O. Box 488, County Courthouse  
Albuquerque, NM 87103

Court Telephone No. (505) 841-7438

BOB CRABTREE AND ANNETTE CRABTREE  
PLAINTIFFS,

Defendant's Name:  
WELLS FARGO BANK, N.A., AS TRUSTEE  
FOR THE POOLING AND SERVICING  
AGREEMENT DATED AS OF OCTOBER 1,  
2004, MERRILL LYNCH MORTGAGE  
INVESTORS TRUST MORTGAGE LOAN  
ASSET-BACKED CERTIFICATES, SERIES  
2004-WMC5  
200 Lomas NW  
Albuquerque, NM 87102

V.

WELLS FARGO BANK, N.A., AS TRUSTEE FOR  
THE POOLING AND SERVICING AGREEMENT  
DATED AS OF OCTOBER 1, 2004, MERRILL LYNCH  
MORTGAGE INVESTORS TRUST MORTGAGE LOAN  
ASSET-BACKED CERTIFICATES, SERIES 2004-WMC5;  
ALTISOURCE A/K/A ALTISOURCE SINGLE FAMILY, INC.,  
PROPERTY PRESERVATION SERVICING, LLC,  
JOHN DOE I, JOHN DOE II, JOHN DOE III, AND JOHN DOE IV,  
DEFENDANTS.

**TO THE ABOVE NAMED DEFENDANT(S):** Take notice that

1. A lawsuit has been filed against you. A copy of the lawsuit is attached. The Court issued this Summons.
2. You must respond to this lawsuit in writing. You must file your written response with the Court no later than thirty (30) days from the date you are served with this Summons. (The date you are considered served with the Summons is determined by Rule 1-004 NMRA) The Court's address is listed above.
3. You must file (in person or by mail) your written response with the Court. When you file your response, you must give or mail a copy to the person who signed the lawsuit.
4. If you do not respond in writing, the Court may enter judgment against you as requested in the lawsuit.
5. You are entitled to a jury trial in most types of lawsuits. To ask for a jury trial, you must request one in writing and pay a jury fee.
6. If you need an interpreter, you must ask for one in writing.
7. You may wish to consult a lawyer. You may contact the State Bar of New Mexico for help finding a lawyer at [www.nmbar.org](http://www.nmbar.org); 1-800-876-6227; or 1-505-797-6066.

**3/21/2018**

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3.



JAMES A. NOEL  
CLERK OF THE DISTRICT COURT

By:

*Lafaya Grayson*  
Deputy Clerk

Attorney for Plaintiffs:  
ROBERT D. GORMAN, P.A.  
P.O. Box 25164  
Albuquerque, NM 87125-0164  
P. (505) 243-5442 / F. (505) 247-1539  
Email: [louis@rdgormanlaw.com](mailto:louis@rdgormanlaw.com)

THIS SUMMONS IS ISSUED PURSUANT TO RULE 1-004 NMRA OF THE NEW MEXICO RULES OF CIVIL PROCEDURE FOR DISTRICT COURTS.

RETURN <sup>1</sup>

STATE OF NEW MEXICO )  
 ) ss.  
COUNTY OF BERNALILLO )

I, being duly sworn, on oath, say that I am over the age of eighteen (18) years and not a party to this lawsuit, and that I served the summons in Bernalillo county on the 22nd day of March, 2018, by delivering a copy of this summons, with copy of amended complaint attached, in the following manner:

(check one box and fill in appropriate blanks)

- ☒ to the defendant Wells Fargo Bank (used when defendant accepts a copy of summons and amended complaint or refuses to accept the summons and amended complaint).  
[ ] to the defendant by [mail] [courier service] as provided by Rule 1-004 NMRA (used when service is by mail or commercial courier service).

After attempting to serve the summons and amended complaint on the defendant by personal service or by mail or commercial courier service, by delivering a copy of this summons, with a copy of amended complaint attached, in the following manner:

- [ ] to \_\_\_\_\_, a person over fifteen (15) years of age and residing at the usual place of abode of defendant \_\_\_\_\_, (used when the defendant is not presently at place of abode) and by mailing by first class mail to the defendant at \_\_\_\_\_ (insert defendant's last known mailing address) a copy of the summons and amended complaint.  
[ ] to \_\_\_\_\_, the person apparently in charge at the actual place of business or employment of the defendant and by mailing by first class mail to the defendant at \_\_\_\_\_ (insert defendant's business address) and by mailing the summons and amended complaint by first class mail to the defendant at \_\_\_\_\_ (insert defendant's last known mailing address).  
☒ to James L. Paul agent authorized to receive service of process for defendant Wells Fargo Bank  
[ ] to \_\_\_\_\_, [parent] [guardian] [custodian] [conservator] [guardian ad litem] of defendant \_\_\_\_\_ (used when defendant is a minor or an incompetent person).  
[ ] to \_\_\_\_\_ (name of person), \_\_\_\_\_, (title of person authorized to receive service. Use this alternative when the defendant is corporation or an association subject to a suit under a common name, a land grant board of trustees, the State of New Mexico or any political subdivision).

Fees: \_\_\_\_\_

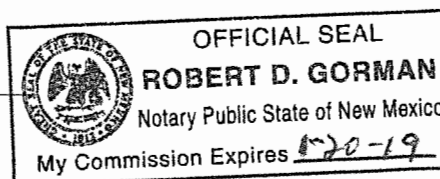
James L. Paul  
Signature of person making service

Legal Assistant  
Title (if any)

Subscribed and sworn to before me this 23rd day of March, 2018. <sup>2</sup>

Robert D. Gorman  
Judge, notary or other officer  
authorized to administer oaths

Notary  
Official title



USE NOTE

1. Unless otherwise ordered by the court, this return is not to be filed with the court prior to service of the summons and amended complaint on the defendant.

2. If service is made by the sheriff or a deputy sheriff of a New Mexico county, the signature of the sheriff or deputy sheriff need not be notarized.

[Adopted effective August 1, 1988; as amended by Supreme Court Order 05-8300-01, effective March 1, 2005; as amended by Supreme Court Order 07-8300-16, effective August 1, 2007; as amended by Supreme Court Order 12-8300-026, effective for all cases filed or pending on or after January 7, 2013; as amended by Supreme Court Order No. 13-8300-022, effective for all cases pending or filed on or after December 31, 2013; as amended by Supreme Court Order No. 14-8300-017, effective for all cases pending or filed on or after December 31, 2014.]